

Message Text

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ACTION AF-06

INFO OCT-01 ISO-00 EB-07 COME-00 TRSE-00 PM-03 NSC-05

SP-02 SS-15 L-02 PA-01 PRS-01 USIE-00 CIAE-00 INR-07

NSAE-00 INRE-00 SSO-00 NSCE-00 EUR-12 FTC-01 /063 W

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O 241300Z MAY 75

FM AMEMBASSY KINSHASA

TO SECSTATE WASHDC IMMEDIATE 2658

CONFIDENTIAL KINSHASA 4301

E.O. 11652: GDS

TAGS: EINV ECON CG

SUBJ: GOZ MOVES TO CONTROL PHARMACEUTICAL SECTOR

1. GOVERNOR OF CENTRAL BANK SAMBWA ISSUED A LETTER DATED MAY 19 (NOT SURFACED UNTIL MAY 23) LISTING COMPANIES WHICH WERE TO BE PERMITTED TO CONTINUE THE IMPORTATION OF VARIOUS FOOD AND PHARMACEUTICAL PRODUCTS. FOLLOWING PHARMACEUTICAL COMPANIES WERE INCLUDED: DCMP (GOZ PHARMACEUTICAL COMPANY), MEDIPHAR (PRIVATE ZAIRIAN-OWNED COMPANY, WARNER LAMBERT (US), BAYER (GERMAN), AND CIBA-GEIGY (SWISS). ABSENT FROM THE LIST WERE ABOUT 40 OTHER COMPANIES IN THE PHARMACEUTICAL IMPORTING BUSINESS INCLUDING THE FOLLOWING AMERICAN COMPANIES: CYANAMID, BRISTOL MYERS, PFIZER, STERLING, PARKE-DAVIS, SOMEPHAR, ABBOT AND COUVREUR.

2. RATIONAL FOR SELECTION NOT CLEAR SINCE LIST DID NOT INCLUDE THE BIGGEST IMPORTER, SAID TO BE HOECHST, A GERMAN COMPANY WHICH ALSO IMPRTS CHEMICALS AND DYE STUFFS. ON THE OTHER HAND, LIST INCLUDED BAYER WHICH REPORTEDLY HAS SHARPLY REDUCED IMPORTS RATHER THEN SHIP WHEN RISK OF NON-PAYMENT DEVELOPED.

3. SOME PHARMACEUTICAL FIRMS IMMEDIATELY SURMISED THAT PURPOSE OF THIS CENTRAL BANK MOVE WAS TO CONSOLIDATE THE PHARMACEUTICAL INDUSTRY IN ORDER TO SIMPLIFY EVENTUAL NATIONALIZATION BY ELIMINATING MOST OF THE COMPANIES IN SUCH A MANNER THAT THE QUESTION OF COMPENSATION WOULD BE DIFFICULT TO RAISE.

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4. SAMBWA LETTER OVERTAKEN BY EVENTS WITH THE MAY 23 AND 24
RADIO AND NEWSPAPER ANNOUNCEMENTS TO THE EFFECT THAT PURSUANT
TO NATION EXECUTIVE COUNCIL (CABINET) DECISION DCMP WOULD BE THE
SOLE IMPORTER AND DISTRIBUTOR OF PHARMACEUTICAL PRODUCTS BEG-
INNING SEPT 1. ALSO DCMP WILL CONTROL ALL "PRIVATE" PHARMACIES
IN THE COUNTRY.

5. A MEETING WITH US PHARMACEUTICAL FIRMS WAS HELD AT THE EMBSSY
AT 1000 ON MAY 24 TO DISCUSS PROBLEM. IN ADDITION TO ECON/COMM STAFF,
REPS OF ALL THE AMERICAN COMPANIES LISTED ABOVE ATTENDED WITH
THE EXCEPTION OF COUVREUR. AN AMERICAN LAWYER, PATRICK MITCHELL,
WHO REPRESENTS SOME OF THE FIRMS ALSO ATTENDED.

6. QUESTIONS CITED BY THE REPS INCLUDED THE FOLLOWING: IS THERE
ANY PROSPECTS OF COMPENSATION FOR COMPANIES DRIVEN OUT OF BUSINESS
BY GOVT ACTION RATHER THAN NATIONALIZATION? WILL IT BE POSSIBLE
TO REMIT SUBSTANTIAL AMOUNTS PRESENTLY OVERDUE TO FOREIGN SUPPLIERS
WHICH HAVE NOT BEEN PAID BECAUSE OF FOREIGN EXCHANGE SHORTAGE?
WHAT SHOULD BE DONE ABOUT SHIPMENTS ON ROUTE OR IN THE PROCESS
OF BEING ORDERED CONSIDERING THAT IT IS ILLEGAL TO CANCEL ORDERS
AFTER AN IMPORT LICENSE HAS BEEN OBTAINED? HOW WILL IT BE POSSIBLE
TO COLLECT LOCAL RECEIVABLES WHEN DEBTORS REALIZE THAT PHAR-
IMPORTERS WILL PROBABLY BE OUT OF BUSINESS IN A FEW MONTHS? WILL
LARGE RECEIVABLES DUE FROM THE GOZ BE PAID AND REMITTABLE? IT WAS
NOTED THAT THIS GOZ ACTION WILL PROBABLY TERMINATE PLANS BY 2
OR 3 COMPANIES WHICH WERE CONSIDERING THE CONSTRUCTION OF PLANTS
FOR PHARMACEUTICAL MANUFACTURING AND PACKAGING.

7. REPS AGREED TO GIVE MATTERS MORE THOUGHT AND SUBMIT LISTS
OF INDIVIDUAL COMPANIES' QUESTIONS TO EMBASSY BY MAY 28.
QUESTIONS WILL BE REVIEWD AND DECISION MADE AS TO HOW GOZ WHOULD
BE APPROACHED.

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: INDUSTRY, COMPENSATION, IMPORT CONTROLS, MEETINGS, FOREIGN INVESTMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 24 MAY 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975KINSHA04301
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750183-0247
From: KINSHASA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750520/aaaaares.tel
Line Count: 94
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION AF
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 29 AUG 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <29 AUG 2003 by ShawDG>; APPROVED <17 DEC 2003 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: GOZ MOVES TO CONTROL PHARMACEUTICAL SECTOR
TAGS: EINV, ECON, CG
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006